

UNITED STATES BANKRUPTCY COURT  
IN AND FOR THE DISTRICT OF DELAWARE

In re:	)	
W.R. Grace & Co., et al.	)	
Debtors.	)	
<hr/>		Case Nos. 01-1139 through
	)	01-1200
OFFICIAL COMMITTEE OF ASBESTOS	)	
PERSONAL INJURY CLAIMANTS and	)	
OFFICIAL COMMITTEE OF ASBESTOS	)	Chapter 11
PROPERTY DAMAGE CLAIMANTS OF	)	
W.R. GRACE & CO., suing in behalf of the	)	
Chapter 11 Bankruptcy Estate of W.R.	)	
GRACE & CO., et al.,	)	
	)	
Plaintiffs,	)	
	)	
-against-	)	Adv. No.: 02-_____
	)	
FRESENIUS MEDICAL CARE HOLDINGS,	)	
INC. and	)	
NATIONAL MEDICAL CARE, INC.,	)	
	)	
Defendants.	)	

**SUMMONS AND NOTICE  
IN AN ADVERSARY PROCEEDING**

YOU ARE SUMMONED and required to file a motion or answer to the attached complaint with the clerk of the bankruptcy court by **April 1, 2002 at 4:00 p.m.**

Address of Clerk:  
824 Market Street, 5<sup>th</sup> Floor  
Wilmington, DE 19801

At the same time, you must also serve a copy of the motion or answer upon the plaintiff's attorneys:

Lewis T. LeClair, Esq. McKool Smith, P.C. 300 Crescent Court, Suite 1500 Dallas, TX 75201	Theodore J. Tacconelli, Esq. Ferry, Joseph & Pearce, P.A. 824 Market Street, Suite 904 P.O. Box 1351 Wilmington, DE 19899	Scott L. Baena, Esq. Bilzin Sumberg Dunn Baena Price & Axelrod First Union Financial Center 200 South Biscayne Blvd., Suite 2500 Miami FL 33131
Matthew G. Zaleski, III, Esq. Campbell & Levine Chase Manhattan Centre, 15th Flr. 1201 N. Market Street Wilmington, DE 19801	Elihu Inselbuch, Esq. Caplin & Drysdale, Chartered 399 Park Avenue, 36 <sup>th</sup> Floor New York, NY 10022	Peter Van N. Lockwood, Esq. Caplin & Drysdale, Chartered One Thomas Circle, N.W. Washington, DC 20005

If you make a motion, your time to answer is governed by the Order dated March 12, 2002 Re: Fraudulent Conveyance Proceedings.

YOU ARE NOTIFIED that a pretrial conference, if any, of the proceeding commenced by the filing of the complaint will be held at **a time to be determined**.

IF YOU FAIL TO RESPOND TO THIS SUMMONS, YOUR FAILURE WILL BE DEEMED TO BE YOUR CONSENT TO ENTRY OF A JUDGMENT BY THE BANKRUPTCY COURT AND JUDGMENT BY DEFAULT MAY BE TAKEN AGAINST YOU FOR THE RELIEF DEMANDED IN THE COMPLAINT.

Date: March 18, 2002

/s/ David D. Bird

*Clerk of the Bankruptcy Court*

## CERTIFICATE OF SERVICE

I, Theodore J. Tacconelli, certify that I am, and at all times during the service of process was,  
(name)

not less than 18 years of age and not a party to the matter concerning which service of process was made.

I further certify that the service of this summons and a copy of the complaint was made on

March 18, 2002 by:  
(date)

X Mail Service: Regular, first class United States mail, postage fully pre-paid, addressed to:

Fresenius Medical Care Holdings, Inc. c/o C T Corporation System 111 Eighth Avenue New York, NY 10011	National Medical Care, Inc. c/o The Corporation Trust Company Corporation Trust Center 1209 Orange Street Wilmington, DE 19801
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\_\_\_ Personal Service: By leaving the process with defendant or with an officer or agent of defendant at:

\_\_\_ Residence Service: By leaving the process with the following adult at:

\_\_\_ Certified Mail Service on an Insured Depository Institution: By sending the process by certified mail addressed to the following officer of the defendant at:

\_\_\_ Publication: The defendant was served as follows: [Describe briefly]

State Law: The defendant was served pursuant to the laws of the State of \_\_\_\_\_,  
(name of state), as follows: [Describe briefly]

Under penalty of perjury, I declare that the foregoing is true and correct.

March, 18, 2002  
Date

/s/ Theodore J. Tacconelli  
Signature

Print Name: Ferry, Joseph & Pearce, P.A.

Business Address: 824 N. Market Street, Suite 904, P.O. Box 1351

City: Wilmington State: DE Zip: 19899